

1998

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Recommended Citation

Adams, Edward S., "The In Pursuit of Excellence--A History of the University of Minnesota Law School, Part VII--The Stein Years--A Time of Advancement and Prosperity" (1998). *Minnesota Law Review*. 1226.
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In Pursuit of Excellence—A History of the University of Minnesota Law School, Part VII

The Stein Years—A Time of Advancement and Prosperity

Edward S. Adams*

When the seven-year administration of the school's sixth dean, Carl A. Auerbach, ended, the new Law School building had become a reality, and Dean Auerbach's principal goal was achieved. As Auerbach passed the torch to Robert A. Stein, however, he did so amid controversy and widespread frustration at the Law School with the legislature regarding budgets and class size. Stein, at age forty, was young, energetic, and able to achieve the balance of what Dean Auerbach termed "scholarly attainment with administrative savvy." As Stein ascended to the ranks of what he described as "the best law school deanship opportunity in the country,"¹ he was unanimously viewed as an "extremely energetic, enthusiastic and responsive man."² Chosen because he was perceived by both faculty members and administrators alike as an open, easygoing person who was able to communicate effectively, Dean Stein's optimism proved to be the perfect ingredient for the Law School at the time.

The energy and enthusiasm Stein brought to the deanship were indicative of his entire life. From modest beginnings, Stein

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1. Lisa Schroeffer, *Law School's Draft of Bubbly Stein Not Surprising*, MINN. DAILY, Aug. 17, 1979, at 1.

2. Kirk Nielsen, *Dean Stein Sworn In to Make Law School "The Best It Can Be"*, MINN. DAILY, Mar. 7, 1980, at 3.

"pulled himself up by his bootstraps," working his way through school at a butcher shop and by selling newspapers. At age sixteen, his hard work shining shoes at the local Sears store allowed him to purchase the family car. Finances were tight, with his father working as an assembly line mechanic and his mother as a waitress and sales clerk. He married Sandra Holtan and they had their first child when he was still an undergraduate at the University of Minnesota. Throughout his three years of law school, Stein provided for his family by again working at numerous jobs, including a term at the Law Library and as a clerk for a trucking company preparing bills of lading. Learning to type at the trucking company proved invaluable as the world made its transition into the computer age. This strong work ethic, coupled with unbridled enthusiasm and an impressive intellect, were to be the hallmarks of Stein's career. As he was to repeatedly demonstrate throughout his life, he possessed an ability to focus on a single project and yet stay involved in numerous other projects at the same time. A product of a religious upbringing, Stein also possessed a deeply spiritual side. Ironically enough, although his mother was always very proud of him, she was a bit disappointed that he became a lawyer and not a minister.³

As he assumed the deanship, a job for which many believed he was uniquely suited, Stein elucidated four goals for the Law School's future: (1) to increase private fundraising; (2) to enhance contact with practicing attorneys and judges; (3) to retain outstanding faculty members; and (4) to increase recruitment of minority and female students and faculty members.⁴ As this chapter reveals, he was able to lead the Law School in achieving these goals largely by effectively tapping into the core constituencies of the Law School so as to draw upon their own enthusiasm, optimism, and desire to improve the institution.

STEIN AND THE UNIVERSITY OF MINNESOTA LAW SCHOOL

Robert A. Stein received a B.S.L. degree from the University of Minnesota and received his J.D. degree, *summa cum laude*, from the University of Minnesota Law School in 1961. Anxious to get out of school and support his family, Stein finished his undergraduate degree as well as his law degree in five years. After scoring higher than any other applicant that year on the bar

3. Interview with Robert A. Stein, Executive Director of the American Bar Association, in Minneapolis, Minn. (Sept. 11, 1996).

4. See University of Minnesota News Service, Mar. 7, 1980.

exam, Stein entered private practice with the distinguished firm of Foley & Lardner in Milwaukee, Wisconsin, specializing in the areas of probate and estate planning. At the age of twenty-five, after three years in private practice, Stein joined the faculty of the University of Minnesota Law School in 1964. An exceptional teacher and prolific scholar in the areas of property law, decedents' estates and trust law, and estate planning, Stein's classes in Property and Trusts and Estates were so popular that his first-year students regularly scheduled parties on the anniversary of the Statute of Uses, an English statute enacted in 1536.⁵ As Trina Grillo, one of Stein's earlier former students, recounted:

Despite his quiet manner, the substance of his teaching was often far ahead of its time. For example, at an early stage in his career, he involved a property class in drafting a new landlord-tenant law for the state of Minnesota and enlisted its help in lobbying the statute through the legislature.⁶

In his early years at the Law School, Stein often taught students older than himself. Easing some of the tensions in the classes, he would start each session with a warm-up period, opening the floor for discussion on current events or politics. Amazed at the students' insights, Stein once remarked that this exercise proved to be the best part of teaching.⁷

After over a decade of highly successful teaching (including visiting appointments at UCLA and the University of Chicago) and scholarship,⁸ Stein began to assume administrative respon-

5. See Fred L. Morrison, *A Tribute to Dean Robert A. Stein: Former Dean of the University of Minnesota Law School*, 80 MINN. L. REV. 1, 12 (1995).

6. Trina Grillo, *A Tribute to Dean Robert A. Stein: Former Dean of the University of Minnesota Law School*, 80 MINN. L. REV. 1, 12 (1995).

7. Interview with Robert A. Stein, Executive Director of the American Bar Association, in Minneapolis, Minn. (Sept. 11, 1996).

8. Stein's distinguished scholarship record includes the following: STEIN ON PROBATE (1st ed. (1976), 2d ed. (1986) & 3d ed. (1995)) (2 vols.); IN PURSUIT OF EXCELLENCE: A HISTORY OF THE UNIVERSITY OF MINNESOTA LAW SCHOOL (1980); ESTATE PLANNING UNDER THE TAX REFORM ACT OF 1976 (Larry W. Johnson and Raymond A. Reister eds., 1978); MINNESOTA ESTATE ADMINISTRATION (1986) (editor); *From Tax-Favored to Tax-Penalized: The Challenge of Estate Planning for Qualified Plan Benefits in the Face of Shifting Federal Tax Policy*, 79 IOWA L. REV. 1127 (1994); *Problems of Substance Abuse in the Law Schools: Report of the AALS Special Committee on Problems of Substance Abuse in the Law Schools*, 44 J. LEGAL EDUC. 35 (1994); *The Future of Legal Education*, 75 MINN. L. REV. 945 (1991); *A Tribute to Irving Younger*, 73 MINN. L. REV. 815 (1989); *Introduction: Women and the Constitution*, 6 LAW & INEQUALITY, at vii (1988); *The Demography of Probate Administration*, 15 BALT. L. REV. 54 (1985); *Robert C. McClure: A Tribute on His Retirement*, 69 MINN. L. REV. 1217 (1985); *The Role of the Attorney in Estate Administration*, 68 MINN. L. REV. 1107 (1984); *Carl Auerbach—A Tribute*, 68

sibilities at the University. From 1976 to 1977, he served as Associate Dean of the Law School. From 1977 through 1980, he served as Vice President for Administration and Planning for the University as a whole, a position to which he enjoyed unanimous confirmation by the University's Regents who were well aware of his exceptional reputation. In this role, Stein earned recognition as a competent manager who could handle stress and conflict with an even hand.⁹ He gained valuable experience by facilitating changes which gave women's athletics greater resources. Finally, he distinguished himself by dealing with the financial constraints and the inadequate facilities within the controversy-plagued athletic department at that time. In the midst of these activities, Stein also served as chair of the Building Committee of the new Law Center which received legislative approval in 1975. Due to his efforts, the new, award-winning building was completed on schedule in 1978.¹⁰

Because of his professional and administrative accomplishments, it was hardly surprising that when the new Law Center was completed and Dean Auerbach simultaneously announced

MINN. L. REV. 255 (1983); *New Survey of Professionals Finds Broad Support for the "Estate Planning Team" Idea*, 8 EST. PLAN. 354 (1981); *Use of Insurance Proceeds in Irrevocable Trust for Payment of Death Costs*, 3 NOTRE DAME EST. PLAN. INST. 71 (1979); *Specialization in the Probate Bar*, AM. B. FOUND. RES. REPORTER, Winter 1979, at 1; *In Pursuit of Excellence—A History of the University of Minnesota Law School, Part VI: The Auerbach Years—A Time of Building, Controversy and Frustration*, 63 MINN. L. REV. 1101 (1979); *In Pursuit of Excellence—A History of the University of Minnesota Law School, Part V: The Lockhart Years—A Time of Achievement and Challenge*, 63 MINN. L. REV. 809 (1979); *In Pursuit of Excellence—A History of the University of Minnesota Law School, Part IV: The Pirsig Years—A Time of Transition*, 63 MINN. L. REV. 299 (1979); *In Pursuit of Excellence—A History of the University of Minnesota Law School, Part III: The Fraser Years—A Time of Excellence and Innovation*, 62 MINN. L. REV. 1161 (1978); *In Pursuit of Excellence—A History of the University of Minnesota Law School, Part II: The Vance Years—A Time of Ascendancy*, 62 MINN. L. REV. 857 (1978); *In Pursuit of Excellence—A History of the University of Minnesota Law School, Part I: The Pattee Years—A Time of Accommodation*, 62 MINN. L. REV. 485 (1978); *Multi-State Probate Administration Study: Journey into the Known and Unknown*, PROB. & PROP., Spring 1976, at 11; *Multi-State Probate Administration Study: Journey into the Known and Unknown*, PROB. NOTES, Winter 1976, at 14; *To Make The Probate Process as Simple and Inexpensive as Can Be Done*, BENCH & BAR MINN., Nov. 1975, at 21; *Probate Administration: Distinguishing Fact from Fiction*, PROB. & PROP., Summer 1974, at 5; *Profile of Probate Administration in Minnesota*, BENCH & B. MINN., Jan. 1974, at 5; *New Law School Building—A Year of Decision*, HENNEPIN LAW., Nov.-Dec. 1973, at 4.

9. Karl Vick, *New Administration V.P. Faces "Uncommon Number of Problems"*, MINN. DAILY, Jan. 9, 1978, at 1.

10. Morrison, *supra* note 5, at 3.

his intention to step down Stein became the leading contender to become the Law School's dean. Stein's eventual, almost unanimous, appointment in 1978 was enthusiastically welcomed in the legal community as an endorsement of Minnesotans. His fellow classmates, in particular, many of whom were moving into powerful and influential positions in their own right, expressed elation that one of "their own" was going to be dean of the Law School.¹¹

YEARS AS DEAN

Dean Stein approached his new position with both a strong historical perspective and an appreciation of the duties, responsibilities, and constraints of the deanship. Possessing a clear understanding of what constituted excellence in legal education, and aware of the relevant criteria for establishing Minnesota as a top law school, Stein undertook his new challenge with the heartfelt belief that, in the words of Professor Robert Hudec, the Law School "was a school on the move." As Professor Hudec further observed,

[Stein] expressed those beliefs to the faculty and others within the law school. He told them they were good, he celebrated their accomplishments, he did them special favors, and he backed them up with resources. He believed in his own heart that it was a great school and getting greater.¹²

Perhaps Dean Stein's greatest attribute was his ability to inspire others to do their individual best in pursuit of the common goal of enhancing the Law School's reputation by "empower[ing] individuals to move ahead in their own directions, but equally encourag[ing] them to consider the needs of the entire institution."¹³ For Stein, endowing others with his love for the institution came naturally. As Professor Donald Marshall noted:

[Stein] had a genuine love for the University of Minnesota. He came to the institution at the age of eighteen, which had a formative impact on him. . . . It provided him with opportunities he would not have had otherwise. He had a love and affection for the Law School that gave him the emotional and physical reserves that were necessary for him to work enormously long hours for the school.¹⁴

11. Interview with John J. Cound, Professor of Law at the University of Minnesota Law School, in Minneapolis, Minn. (Feb. 22, 1996).

12. Interview with Robert E. Hudec, Professor of Law at the University of Minnesota Law School, in Minneapolis, Minn. (Feb. 22, 1996).

13. Morrison, *supra* note 5, at 5.

14. Interview with Donald G. Marshall, Professor of Law at the Univer-

With his calm, likable, and personable manner, Stein genuinely appeared to others as an individual not motivated by personal ambition or self-interest, but by a genuine love for the University of Minnesota Law School.¹⁵ Importantly, albeit a "visionary," Stein was "pragmatic." "[He could] hold a vision in his heart and mind and also . . . handle the practical measures to bring it to fruition."¹⁶

Adopting a leadership style that emphasized conflict resolution, Stein always remained very involved in issues arising during his deanship. Believing any topic was discussable, he worked towards preventing problems and sought to diffuse controversies before they developed into larger crises. Through a policy of empathy and communication, Stein stayed with an issue until a satisfactory solution was had by all.

A cornerstone of Dean Stein's vision to improve the Law School's ranking and reputation and an indication of his pragmatism in this regard were his efforts to increase the institution's financial support. Through a vigorous initiation and schedule of alumni relations and events, the new dean succeeded in increasing annual alumni support enormously. So successful was Dean Stein in his efforts that his techniques served as a model used by other deans throughout the country. James P. White, Professor of Law at Indiana University and the Consultant on Legal Education of the American Bar Association, revealed as much:

Dean Stein's skills in cultivating alumni support are remarkable. His use of an annual letter, sent to graduates to keep them current on law school developments and activities, has been emulated by a number of deans. . . . His great success in garnering gifts to support endowed chairs is a feat that most deans would like to achieve.¹⁷

In particular, Stein's Partners in Excellence annual campaign grew from roughly \$150 million annually in 1979 to annual donations in excess of \$1 million from 1984 to 1994. In 1979, the endowment fund was approximately \$3 million; by 1994, at the end of Stein's tenure, the endowment fund had reached \$40 million, a figure that exceeded that of many private colleges.¹⁸

sity of Minnesota, in Minneapolis, Minn. (Feb. 22, 1996).

15. Interview with Robert J. Levy, Professor of Law at the University of Minnesota Law School, in Minneapolis, Minn. (Feb. 22, 1996).

16. Grillo, *supra* note 6, at 5.

17. James P. White, *A Tribute to Dean Robert A. Stein: Former Dean of the University of Minnesota Law School*, 80 MINN. L. REV. 1, 28 (1995).

18. See Letter from Robert A. Stein, Dean, Univ. of Minn. Law School, to

Much of Stein's phenomenal fundraising efforts were due to an emphasis on success. Recognizing that few people support a losing proposition, Stein focused on promoting the dreams and aspirations of donors. This involved developing a base relationship with the practicing bar via special events, trips, and a semi-annual alumni letter. The alumni letter invited former graduates to return letters and form a dialogue with Stein, making their ideas an important asset for the Law School. Another integral part of Stein's fundraising campaign was building an infrastructure to thank and recognize donors. Through these efforts, Stein capitalized on the generosity of Minnesotans and the understanding, sympathetic nature of Midwesterners. The fact that Minnesota's private financial contributions under Stein exceeded that received by all but a handful of law schools throughout the nation¹⁹ is even more remarkable when one considers they were accomplished with an alumni base of only 8,000—smaller than that of many other law schools.²⁰ As Stein planned, this extraordinary fundraising became central to achieving the other important goals and initiatives of Stein's vision of making the Law School "the best that it could be."²¹

Bridging the gap between academics and the practicing bar was one of the important goals Stein elucidated when he became dean. In part, this goal was a product of what Geoffrey C. Hazard, Jr., Director of the American Law Institute who came to know Dean Stein when he became a member of the Council of the American Law Institute in 1987, described as a relatively rare combination of pragmatism and theoretical pursuit that was such a part of Dean Stein's intellectual life:

[H]e . . . actually thought through legal problems in everyday life, worked out solutions to them as an adviser and draftsman, and helped other lawyers in the same kind of tasks. Yet he . . . maintained a high and respected place in the academic hierarchy.²²

Dean Stein personally demonstrated this combination of theory and practice by practicing Of Counsel with the Minneapolis law firm of Gray, Plant, Mooty, Mooty & Bennett for fifteen years from 1979-1994. As a result of his distinguished practice, he was elected to the American College of Trust and Estate

the Alumni (Dec. 4, 1994) (on file with the *Minnesota Law Review*).

19. *Id.*

20. *See id.*

21. University of Minnesota News Release, Mar. 3, 1980.

22. Geoffrey C. Hazard, Jr., *A Tribute to Dean Robert A. Stein: Former Dean of the University of Minnesota Law School*, 80 MINN. L. REV. 1, 14 (1995).

Counsel, a Fellow of the American College of Tax Counsel, and an Academician of the International Accountancy of Estate and Trust Law.

To promote greater contact between the practicing bar and academia, Dean Stein became a leading figure in the creation and administration of the Minnesota State Bar Association's Continuing Legal Education programs, and he also served as a frequent lecturer in Continuing Legal Education programs. In an effort to make the Law School a part of the current life of lawyers, Dean Stein instituted three new CLE programs. The first, *Super CLE*, took place over spring break each year, offering a week of one-day intensive seminars to the practicing bar. Extended two-week courses totaling fifteen hours were available through *Summer CLE*, the second program. Finally, the third program, though presently discontinued, *Keeping Current*, had monthly offerings to stay ahead in particular substantive areas. An unprecedented aspect of the programs was the availability of an "office away from the office," which provided a desk, phone, and the resources of the law library to participating lawyers. Stein also led alumni and friends on Continuing Legal Education trips to several countries, including Australia, China, France, Kenya, Poland, Russia, and Vietnam.²³

In a similar vein, to bridge the gaps between academia, the practicing bar, and the judiciary, Stein implemented the Jurist in Residence Program, a program that brought to the Law School over the years many distinguished judges for extended visits, including Chief Justice Warren E. Burger, Justice Harry A. Blackman, Justice Anthony M. Kennedy, Justice Sandra Day O'Connor, and Chief Justice William H. Rehnquist.

Convinced that a law school as an institution of education is only as strong as its educators, Stein was acutely cognizant that he had to compete against other top law schools in selecting, recruiting, and retaining the most talented scholars to fill limited and infrequent openings on the faculty roster. To this end, Stein was successful in attracting some of the nation's best teaching prospects in the country. In seeking to do so, he relied on his belief that it was fundamentally important to have depth on the faculty, even at the expense of a rather lean administration. A profound milestone which typified successful faculty appointments during Stein's tenure was reached in 1982 when the Law

23. See *Achievement of Excellence: A Tribute to Dean Robert A. Stein*, U. MINN. ALUMNI NEWS, Fall 1994, at 7.

School hired five new permanent faculty members. The hiring of these five professors, Professor Suzanna Sherry,²⁴ Professor John Matheson,²⁵ Professor Catharine MacKinnon,²⁶ Professor Ann Burkhardt,²⁷ and Professor Stephen Befort,²⁸ was such a coup that Dean Stein wrote in his letter to the alumni, "It has been a great source of pleasure for me to receive calls from law school deans around the country who, noting Minnesota's success, have said

24. Suzanna Sherry, a graduate of the University of Chicago Law School and law clerk to the Honorable John C. Godbold (Chief Judge of the Eleventh Circuit), practiced with Miller, Cassidy, Larroca & Lewin in Washington, D.C. Professor Sherry has taught classes in Constitutional Law, Constitutional Theory, Constitutional History, Federal Courts, First Amendment Law, Employment Discrimination, and Civil Rights. See UNIVERSITY OF MINNESOTA LAW SCHOOL FACULTY DIRECTORY & RESEARCH ACTIVITIES 56 (1998) [hereinafter FACULTY DIRECTORY (1998)]

25. John Matheson, a graduate of Northwestern University Law School, where he was Editor-in-Chief of the *Northwestern University Law Review*, and law clerk to Honorable Robert A. Sprecher of the Seventh Circuit, practiced with Hedlund Hunter & Lynch in Chicago. He authored three law review articles published in the *Georgetown Law Journal*, the *Michigan Law Review*, and the *Northwestern University Law Review* during four years of law practice—a practically unheard of feat. Professor Matheson has taught Contracts, Commercial Paper, Consumer Protection, Corporate Finance, Sales, and Corporations. See *id.* at 49.

26. Catharine MacKinnon, a graduate of Yale Law School, who also has a M. Phil. in Political Science from Yale, practiced law in New Haven. She has taught at Yale Law School, Harvard Law School, and Stanford Law School. She authored a very significant book entitled *Sexual Harassment of Working Women* that had already identified her as a leading scholar nationally on the subject of sexual discrimination. Professor MacKinnon taught Constitutional Law and Sex Discrimination Law. See Letter from Robert A. Stein, Dean, Univ. of Minn. Law School, to the Alumni (Jul. 1, 1982) (on file with the *Minnesota Law Review*).

27. Ann M. Burkhardt, a graduate of the University of Illinois College of Law School, editor of the *Illinois Law Review*, law clerk to the Honorable James C. Hill of the Eleventh Circuit, practiced with Alston, & Byrd in Atlanta and Sidley & Austin in Chicago. She received the highest possible compliment from her former dean, John Cribbet, who said he would love to have her on the faculty of her alma mater. Professor Burkhardt has taught Property Law, Real Estate Finance and Development, Land Use Planning, and Environmental Law. See FACULTY DIRECTORY (1998), *supra* note 24, at 24.

28. Stephen F. Befort, a magna cum laude graduate of the University of Minnesota Law School, served as Special Assistant General in the Minnesota Attorney General's office. He also served as Principal Assistant County Attorney for Ramsey County, in charge of the Civil Division of the Ramsey County Attorneys Office. Professor Befort had considerable experience supervising the work of other attorneys and is uniquely equipped to be the Director of the Civil Clinical Program. Professor Befort has taught Labor Law, Employment Law, Public Sector Employment, Civil Practice Clinic and the Public Interest Law Clinic. See *id.* at 22.

this appears to have been Minnesota's year."²⁹ Equally important, that very same year Professor Steven Nickles³⁰ was persuaded to become a visiting professor which eventually led to a permanent position for him on the Minnesota faculty.

Two years later, Dean Stein accomplished one of his most successful recruiting triumphs. In reading an article from the *Washington Post*, he learned that Irving Younger,³¹ a famed legal scholar and litigator, was retiring from the Washington, D.C., firm of Williams & Connolly. Irving Younger litigated the celebrated *Hyatt Regency* balcony collapse case and the equally significant *Tavoulareas v. Washington Post* case. Professor Younger and his wife, Professor Judith T. Younger,³² were considered a nationally renowned legal superstar team. Indeed, Irving Younger was widely regarded as an educational innovator who combined and integrated analysis of practical trial advocacy into

29. See Letter from Robert A. Stein, Dean, Univ. of Minn. Law School, to the Alumni (Jul. 1, 1982) (on file with the *Minnesota Law Review*).

30. Steven Nickles graduated from the University of Arkansas at Fayetteville School of Law where he was valedictorian of his class. He also received his LL.M. and J.S.D. degrees from Columbia University Law School. Professor Nickles was one of the most productive young commercial law scholars in the country, and the University of Minnesota had been following his career for some time. Professor Nickles taught Commercial Law, Creditor's Rights and Remedies, Secure Transactions, Commercial Paper, and Bankruptcy. See UNIVERSITY OF MINNESOTA LAW SCHOOL FACULTY DIRECTORY 18 (1996) [hereinafter FACULTY DIRECTORY (1996)].

31. Irving Younger graduated from Harvard University in 1953 and was editor-in-chief of the *Law Review* at New York University where he received his law degree in 1958. He served as an assistant U.S. attorney for the Southern District of New York from 1960 to 1962, and he started a law practice. From 1965 to 1968, he was a professor at New York University School of Law. From 1968 to 1974, he served as a judge of the New York Civil Court. Next, he was the Samuel S. Leibowitz Professor of Trial Techniques at Cornell University Law School. From 1981 to 1983, he was a partner in the Washington law firm of Williams & Connolly. From 1984 to 1989, he was the Marvin J. Sonosky Professor of Law at the University of Minnesota. See Curriculum Vitae of Irving Younger.

32. Judith T. Younger received her B.S. degree from Cornell University and was an editor of the *Law Review* at New York University School of Law where she received her J.D. degree. She was also honored with an LL.D. degree from Hofstra University. She served as a law clerk to the Honorable Edward Weinfeld, U.S. District Court, New York. She served as an adjunct assistant professor at New York University School of Law and as an assistant attorney general of the State of New York. She was a Professor and Associate Dean of Hofstra University Law School, Professor and Dean at Syracuse College of Law, and Professor and Deputy Dean at Cornell Law School. Professor Younger is currently a professor at the University of Minnesota Law School. See FACULTY DIRECTORY (1998), *supra* note 24, at 64.

a traditional theory based teaching modality.³³ He was a popular lecturer and had gained much notoriety from the distribution of his then legendary video tape instructions on trial tactics.

Characteristically, Dean Stein took the initiative and immediately offered them both positions at the University of Minnesota Law School. Having both graduated from the New York University Law School and having worked on the East Coast, the two professors were hesitant to visit Minnesota. Stein persuaded them, however, to at least take a look at the Law School and meet with the faculty. The Youngers arrived in the midst of a February "cold snap." Their ultimate choice to accept positions at Minnesota can largely be attributed to the warm, gentle, collegial atmosphere of the Minnesota faculty and Dean Stein.³⁴ Sadly, Professor Irving Younger died of cancer in 1989; however, Professor Judith T. Younger remains at the University of Minnesota Law School.

In addition to attracting these outstanding educators, Dean Stein made it his purpose to recruit numerous other excellent deans and professors to the faculty. New additions to the University of Minnesota Law School's Associate and Assistant Dean ranks included Betsy B. Baker,³⁵ Steven H. Goldberg,³⁶ Robert Jackson,³⁷ Vanne Owens Hayes,³⁸ and Sharon L.

33. See Edward J. Imwinkelreid, *Uncharged Misconduct: What Would Irving Younger Have Done?*, 16 LITIG. 6 (1989).

34. Interview with Judith T. Younger, Professor of Law at the University of Minnesota Law School, in Minneapolis, Minn. (Mar. 21, 1996).

35. Betsy Baker received her B.A. degree from Northwestern University, her J.D. degree from the University of Michigan Law School, and her LL.M. from the University of Kiel in Germany. At the University of Minnesota Law School, she served in various positions including Associate and Assistant Dean for Admissions, Placement, and Legal Writing. See U. OF MINN. L. SCH. FACULTY DIRECTORY 30 (1993-1995) [hereinafter FACULTY DIRECTORY (1993-1995)].

36. Steven H. Goldberg received his B.A. from Northwestern University and his J.D. degree from the University of Minnesota Law School. He served the University of Minnesota Law School as an Assistant Dean for Administration, and during his career he taught courses in Criminal Procedure, Legal Profession, and Trial and Appellate Advocacy. See AALS, *The AALS DIRECTORY OF LAW TEACHERS* 449 (1994-1995) [hereinafter *DIRECTORY OF TEACHERS*].

37. Robert A. Jackson received his J.D. degree from Syracuse Law School. He served the University of Minnesota Law School as an Assistant Dean, concentrating much of his efforts on the Law School's Legal Writing programs. See Letter from Robert A. Stein, Dean, Univ. of Minn. Law School, to the Alumni (Dec. 26, 1980) (on file with the *Minnesota Law Review*).

38. Vanne O. Hayes received her B.A. and J.D. degrees from the University of Minnesota. She served as Assistant Dean for External Relations at the University of Minnesota Law School. See FACULTY DIRECTORY (1993-1995), *supra* note 35, at 31.

Reich.³⁹ Additionally, Stein recruited Professors Edward S. Adams,⁴⁰ Beverly Balos,⁴¹ Steven M. Block,⁴² Roy Brooks,⁴³ Karen A. Brown,⁴⁴ Karen Burke,⁴⁵ Russell W. Burris,⁴⁶ Jim

39. Sharon L. Reich received her B.A. degree, *summa cum laude*, from Yale University and her J.D. degree from Stanford Law School. At the University of Minnesota Law School she served as Associate Dean for Administration, Legal Writing, Moot Court, and Trial Practice. See FACULTY DIRECTORY (1998), *supra* note 24, at 35.

40. Edward S. Adams, a recognized expert in commercial, bankruptcy, and corporate law, earned his B.A. degree, *magna cum laude*, from Knox College, and in 1988 he earned his J.D. degree, *cum laude*, from the University of Chicago Law School. At the University of Minnesota Law School he has taught courses in Bankruptcy, Creditors Remedies/Secured Transactions, Commercial Paper, Corporations, and Corporate Finance. See FACULTY DIRECTORY (1996), *supra* note 30, at 20.

41. Beverly Balos received a B.A. degree from the State University of New York (SUNY) at Binghamton and earned her J.D. degree, *cum laude*, from the University of Minnesota. Recognized for her work in the areas of mental health, gender fairness, and domestic violence, at the University of Minnesota Law School she has taught Civil Practice Clinic, Domestic Abuse Prosecution Clinic, and Law and Violence Against Women Clinic and course. See *id.* at 21.

42. Steven M. Block graduated Phi Beta Kappa from the University of California at Berkeley in 1973 and Order of the Coif from Stanford Law School in 1976. Following his graduation, he clerked for the Honorable Robert F. Peckham, Chief Judge of the United States District Court for the Northern District of California and, after his clerkship, entered the private practice of law with Heller, Ehrman, White & McAuliffe in San Francisco. He taught Civil Procedure for only a little over a year at the University of Minnesota Law School before meeting an untimely death in October of 1984. See Robert A. Stein, *A Tribute to Professor Steven M. Block*, 69 MINN. L. REV. 719, 722-23 (1985).

43. Roy L. Brooks graduated *magna cum laude* in Philosophy and History from the University of Connecticut, and he received his J.D. degree from Yale Law School. He earned national recognition for his work in the field of civil rights. He taught Civil Procedure, Civil Rights, and Employment Discrimination at the University of Minnesota Law School. See U. OF MINN. L. SCH. FACULTY DIRECTORY 5 (1991) [hereinafter FACULTY DIRECTORY (1991)].

44. Karen B. Brown earned her A.B. degree from Princeton University and her J.D. and LL.M. in Taxation degrees from the New York University School of Law. She joined the University of Minnesota Law School faculty in 1994. As a nationally recognized scholar in the areas of corporate and international taxation and tax treaty issues, she has taught Federal Income Taxation, Business Planning, and Sports Law. See FACULTY DIRECTORY (1998), *supra* note 24, at 24.

45. Karen C. Burke, a nationally recognized tax scholar, earned her B.A. degree, *magna cum laude*, from Smith College and M.A. and Ph.D. degrees in History from Harvard University. She received her J.D. degree from Stanford Law School, and later, her LL.M. in Taxation from Boston University School of Law. At the University of Minnesota Law School, she has taught Individual Income Taxation, Corporate Taxation, Pension Law, Partnership Taxation, and Subchapter S Taxation. See *id.* at 26.

46. Russell W. Burris, an internationally recognized scholar in instructional psychology and computer-assisted legal instruction, received his A.B. degree from the University of Colorado and his Ph.D. degree from Indiana

Chen,⁴⁷ Carol Chomsky,⁴⁸ Stephen S. Dunham,⁴⁹ Daniel A. Farber,⁵⁰ Mary Louise Fellows,⁵¹ Philip P. Frickey,⁵² Jean Gerval,⁵³ Peggy L. Hicks,⁵⁴ Joan Howland,⁵⁵ Alex M. Johnson,⁵⁶ Maury

University. At the University of Minnesota Law School he has taught Computer Applications in Law and Methodology of the Social Sciences. See FACULTY DIRECTORY (1993-1995), *supra* note 35, at 7.

47. Jim Chen received his B.A. degree, summa cum laude, and his M.A. degree from Emory University. In 1987-88, he was a Fulbright Scholar at the University of Iceland. In 1991, Professor Chen earned his J.D. degree, magna cum laude, from Harvard Law School, where he was an executive editor of the *Harvard Law Review*. After completing his law degree, he clerked for the Honorable J. Michael Luttig, United States Court of Appeals for the Fourth Circuit. He also clerked for Justice Clarence Thomas of the Supreme Court of the United States in 1993. See FACULTY DIRECTORY (1998), *supra* note 24, at 28.

48. Carol Chomsky received her Sc.B. degree from Brown University and her J.D. degree, summa cum laude, from Georgetown University. As a recognized scholar in the area of legal history, at the University of Minnesota Law School, she teaches American Legal History, Contracts, Sales, and Judicial Externship. See FACULTY DIRECTORY (1996), *supra* note 30, at 11, 13.

49. Stephen S. Dunham received his J.D. degree from Yale Law School. His excellent service to the University of Minnesota included his position as the University's General Counsel and teaching Contracts, Consumer Protection, and Trial Practice at the law school. See *id.*

50. Daniel A. Farber, a nationally recognized authority on constitutional law and environmental law, received his B.A., M.A., and J.D. degrees from the University of Illinois. He graduated summa cum laude from the College of Law and was his class's valedictorian. At the University of Minnesota Law School, he has taught courses in Constitutional Law, Environmental Law, Contracts, Jurisprudence, and Legislation. See *id.*

51. Mary Louise Fellows earned her B.A. degree from the University of Michigan, and received her J.D. degree, magna cum laude, from that university's law school. As a nationally recognized scholar in the areas of trusts and estates, federal tax law, and feminist jurisprudence, she has taught courses at the University of Minnesota Law School including Will and Trusts, Estate Planning, Taxation, and Feminist Theory. See *id.* at 17.

52. Philip P. Frickey, a nationally recognized expert in public law, earned his B.A. degree with distinction from the University of Kansas. He received his J.D. degree, magna cum laude, from the University of Michigan Law School. At the University of Minnesota Law School, he has taught courses in American Indian Law, Constitutional Law, and Legislation. See *id.* at 18.

53. Jean Gerval, recognized for her work in the areas of family law and criminal law, received her B.A. degree from Macalester College and her J.D. degree from Duke University School of Law. At the University of Minnesota Law School, she has taught in the Civil Practice and Family Law Clinics. See *id.* at 19.

54. Peggy L. Hicks received her A.B. degree with honors from the University of Michigan and her J.D. degree from Columbia University School of Law. Nationally recognized for her work in international human rights law, she has taught the University of Minnesota Law School's International Human Rights and Immigration Law Clinic. See FACULTY DIRECTORY (1993-1995), *supra* note 35, at 4, 13.

55. Joan Howland, recognized for her work in legal research and law librarianship, received her B.A. degree from the University of California at

Landsman,⁵⁷ Donald P. Lay,⁵⁸ Tahirih V. Lee,⁵⁹ Michael Stokes Paulsen,⁶⁰ Steven Penrod,⁶¹ John A. Powell,⁶² M. Kathleen

Davis, her M.A. degree in History from the University of Texas, her M.A. degree in Library Science from California State University, and her J.D. degree from the University of Santa Clara Law School. In addition to serving as the Director of the University of Minnesota Law School's law library, she has taught Legal Research and American Indian Law. *See id.* at 20.

56. Alex M. Johnson received his B.A. degree in 1975 from Claremont Men's College, and his J.D. degree from the University of California at Los Angeles. During his career, he taught a number of subjects including Critical Race Theory, Estates & Trusts, Real Estate, and Sports Law. *See THE AALS DIRECTORY OF LAW TEACHERS* 177, 535 (1995-1996).

57. Maury Landsman, recognized for his work in pre-trial advocacy, received his B.A. degree from George Washington University, his M.Phil. degree from Yale University, and his J.D. degree from William Mitchell College of Law in 1977. At the University of Minnesota Law School, he has taught a Civil Practice Clinic and courses in Pre-Trial Advocacy and Law and Ethics. *See FACULTY DIRECTORY* (1993-1995), *supra* note 35, at 4, 22.

58. Donald P. Lay is a nationally recognized expert and scholar in the areas of trial and appellate advocacy and judicial administration. He earned his B.A. and J.D. degrees from the University of Iowa, and he was appointed U.S. Circuit Judge for the Eighth Circuit in 1966. At the University of Minnesota Law School, Professor Lay has taught Civil Procedure, Criminal Procedure, and Supreme Court Seminars. *See FACULTY DIRECTORY* (1993-1995), *supra* note 35, at 16.

59. Tahirih V. Lee earned her A.B. and A.M. degrees from Stanford University and her J.D. degree from Yale Law School. She also received M.A., M.Phil., and Ph.D. degrees in Chinese History from Yale University. Nationally recognized for her work in Chinese Law, she has taught Chinese Law, Comparative Law, Civil Procedure, and Legislation at the University of Minnesota Law School. *See id.* at 22.

60. Michael Stokes Paulsen received his B.A. degree with distinction from Northwestern University. He earned his M.A. degree in religion from Yale Divinity School and his J.D. degree from Yale University Law School in 1985. Known as an expert in issues of law and religion, at the University of Minnesota Law School, he has taught courses in Law and Religion, Civil Procedure, and Professional Responsibility. *See id.* at 25.

61. Steven Penrod has received national recognition for his research and writing in the areas of juries, eyewitness reliability, and sexually violent media. He received his B.A. in Political Science from Yale College and his J.D. degree and Ph.D. in Social Psychology from Harvard University. At the University of Minnesota Law School, he has taught Alternative Dispute Resolution, Evidence and Law, and Social Science. *See id.* at 26.

62. John A. Powell earned his B.A. degree from Stanford University and his J.D. degree from the University of California at Berkeley. After law school, he became an attorney with the Seattle Public Defender. Professor Powell practiced law with the United Inner City Development Foundation from 1975 to 1976. He then became Chair of the American Friends Service Committee for Peace Education in Seattle and founded the Food Education for Action Program. He received a Human Rights Fellowship from the University of Minnesota to work in Southern Africa on human rights issues from 1977 to 1979. During his fellowship, he was a consultant to the Government of Mozambique. Professor Powell served as a staff attorney and executive director

Price,⁶³ Carol T. Rieger,⁶⁴ Anna Shavers,⁶⁵ Steven M. Simon,⁶⁶ Michael H. Tonry,⁶⁷ Gerald Torres,⁶⁸ Carl Warren,⁶⁹ and Susan M. Wolf.⁷⁰

Unfortunately, as detailed in earlier chapters, "[t]hroughout the 1950s, 60s and 70s, the [University of Minnesota] Law School had lost many of [its] best and brightest faculty to other

of legal services and has trained advocates and community groups in alternative dispute resolution. Professor Powell taught at Columbia University School of Law, Harvard Law School, the University of Miami School of Law, and the University of San Francisco School of Law. In 1987, he became the National Legal Director for the American Civil Liberties Union. *See id.* at 22.

63. M. Kathleen Price received her B.A. degree from the University of Florida, her M.S. degree from Florida State University, and her J.D. from the University of Illinois. She served at the University of Minnesota as the Law Library Director and taught Legal Writing and International Law. *See* DIRECTORY OF TEACHERS, *supra* note 36, at 740.

64. Carol T. Rieger graduated with a B.A. in 1963 from Northwestern University and earned her J.D. from Northwestern University Law School in 1973. While at the University of Minnesota Law School, she taught courses in Civil Procedure, Constitutional Law, and Contracts. *See* WHO'S WHO IN AMERICAN LAW 764 (1994-95).

65. Anna Shavers earned her B.S. degree from Central State University, her M.S. from the University of Wisconsin, and her J.D. from the University of Minnesota. During her career she taught Administrative Law, Alternate Dispute Resolutions, Civil Procedure, Clinical Teaching, Gender Issues in the Law, and Immigration Law. *See id.* at 845.

66. Stephen M. Simon, recognized for his work in clinical education and judicial education, received his B.A. and J.D. degrees from the University of Minnesota. As a professor at the University of Minnesota Law School, he has taught Trial Practice, Misdemeanor Defense Clinic, and Misdemeanor Prosecution Clinic. *See* FACULTY DIRECTORY (1993-1995), *supra* note 35, at 28.

67. Michael H. Tonry, a nationally known criminal law scholar, received his A.B. degree from the University of North Carolina-Chapel Hill and his LL.B. degree from Yale University. At the University of Minnesota Law School, he has taught courses in Criminal Law, Jurisprudence, Law and Social Science, Commercial Law, and Contracts. *See id.* at 30.

68. Gerald Torres, a nationally recognized scholar of agricultural law, property law, and environmental law, received his B.A. degree from Stanford University and his J.D. degree from Yale Law School. He taught Agricultural Law, Environmental Law, Jurisprudence, Modern Real Estate Transactions, Land Use Planning, and Property at the University of Minnesota Law School. *See* FACULTY DIRECTORY (1991), *supra* note 43, at 25.

69. Carl Warren received his B.A. degree from St. Olaf College and his J.D. degree from the University of Minnesota Law School in 1975. Recognized for his work in clinical instruction, at the University of Minnesota Law School, he has taught in the Civil Practice Clinic. *See id.*, at 26.

70. Susan M. Wolf received her A.B. degree, *summa cum laude*, from Princeton University and her J.D. degree from Yale Law School in 1980. Recognized as an expert in the area of bioethics, at the University of Minnesota Law School, she has taught courses in Bioethics and Health Care Delivery. *See id.* at 31.

law schools."⁷¹ To address this difficult challenge, Stein sought financial contributions to endow faculty chairs. He was stunningly successful. At the beginning of his administration, there were no endowed faculty chairs; at his departure, there were twenty-eight. These endowments helped to improve the retention of the faculty by recognizing particular academic achievements and maintaining competitive compensation for scholarly efforts.⁷²

Importantly, not only did the faculty benefit from and respect Dean Stein's commitment and hard work, they also felt a kinship with the youthful and energetic dean who had proven himself at the University as an administrator, scholar, faculty member, and now as their dean. His management style produced a gentle and comfortable collegiate atmosphere. Hence, the faculty connected with him as one of their own and rewarded him with loyalty and devotion. "Dean Stein's optimism about the bright and compatible faculty, and the feeling that things were going to get better also helped faculty retention."⁷³ Only one tenured-track faculty member departed the Law School permanently during the Stein years; and for thirteen years, from 1981-1994, there were no departures despite numerous attempts by other prestigious law schools to lure faculty members away. Dean Stein's success in obtaining financial support preserved faculty stability during many of the faculty members' most productive years.⁷⁴ This, in turn, contributed to a great wealth of research and scholarly publication during Dean Stein's administration. All of this, of course, enhanced the distinguished national reputation of the University of Minnesota Law School.

Notwithstanding these important developments, at the beginning of his tenure Dean Stein acknowledged that the University of Minnesota Law School was behind the times in its recruitment of talented women professors and conspicuously lacking of any minority professors. Dean Stein was committed to diversity because he understood that in order to develop a legal

71. See Letter from Robert A. Stein, Dean, Univ. of Minn. Law School, to the Alumni (Dec. 4, 1994) (on file with the *Minnesota Law Review*).

72. See Letter from Robert A. Stein, Dean, Univ. of Minn. Law School, to the Alumni (Dec. 20, 1993) (on file with the *Minnesota Law Review*) ("[Alumni] gifts and income from our endowment funds support faculty chairs, which have helped us retain the outstanding national leaders on our faculty . . .").

73. Interview with John Cound, Professor of Law at the University of Minnesota, in Minneapolis, Minn. (Feb. 22, 1996).

74. See *id.*

profession committed to equal access to justice for all Americans, the nation's law schools had to draw upon the richness of diversity in America, including especially the talents and experience of excellent women and minority instructors. Under his leadership, the white, male-dominated faculty landscape was dramatically transformed over the next fifteen years to be more representative of the community. At first, for a variety of reasons, the process was quite slow. Dean Stein, however, "was committed to diversity . . . based upon a deep understanding that life [was] enhanced by difference and that justice require[d] an open heart,"⁷⁵ and from 1989 to 1994, the Law School, led by Stein, fulfilled his commitment to hire qualified minority professors. In doing so, the Law School succeeded in recruiting impressive and deserving legal scholars, dispelling any sentiments or fears concerning tokenism. Early in the 1980s, Professors Alex Johnson and Gerald Torres joined the faculty. Several years later, Anna Shavers and Roy L. Brooks were appointed. Professor Carl Warren⁷⁶ joined the clinical faculty in 1990, and, in 1993, Professors Jim Chen and John A. Powell were hired. Also, in 1993, the Law School appointed Karen A. Brown visiting professor of tax law. Professor Brown became a permanent tenured faculty member in 1994. In addition, minority faculty professors, including Lyonel Norris, Paul Campos, and Harry Groves, visited the Law School.

So successful was Stein in his efforts, that at his departure in 1994, there were eleven women tenured-track faculty members (29%), whereas, in 1979, there had only been three (10%). In addition, the clinical faculty had three women (50%). Moreover, in 1994, there were four racial minority tenured-track faculty members (11%), whereas, in 1979, there were no racial minorities. Finally, at Stein's departure, there was one (16%) racial minority on the clinical staff.

Dean Stein was not only successful in diversifying the faculty, but he worked on diversifying the student body as well. From 1979 to 1994, the female percentage in the entering class expanded from 34% to 47%, and the percentage of students identifying themselves as persons of color increased from 4% to 21.5%.⁷⁷ Moreover, by 1994, the average student was more mature than in years past, entering the Law School at an average

75. See Grillo, *supra* note 6, at 8.

76. See *supra* note 64.

77. See *A Tribute to Dean Robert A. Stein*, U. MINN. L. ALUMNI NEWS, Fall 1994, at 6, 8.

age of twenty-five. At the end of Dean Stein's administration, in addition to their excellent academic credentials, the student body's law school experience was enriched because the students could draw upon each others' many diverse accomplishments and experiences.

OTHER DEVELOPMENTS: CLASS SIZE AND STUDENT BODY

In 1984, many law school administrators became concerned with a projected nationwide decline in applications to law schools. While applications tend to fluctuate in cyclical patterns, the projection was for a dramatic ten percent decline for the 1984/85 academic year. Despite these projections, under Dean Stein's initiative, the Law School aggressively increased its recruitment program in order to ensure that the future of the student body would remain strong.⁷⁸ Stein repeatedly spoke to undergraduate student groups promoting the value of a legal education and the successes of the "Minnesota story." Through his efforts and the tireless work of the members of the Law School's Office of Admissions, the actual decline in applications at the University of Minnesota Law School was only three percent. Furthermore, during the next academic year of 1985/86, applications at the Law School remained steady at five applications for every available seat. Thus, contrary to the overall national trend, the class size at Minnesota remained constant, while many law schools experienced a substantial decline. In response to the national downturn in applications, a task force briefly considered decreasing the size of incoming classes; however, this proposal was rejected because the Law School continued to have many more qualified applicants than the school could accommodate. Also, in 1985, the Law School was only matriculating about twenty percent of the new lawyers in the state each year. By comparison, during the 1960s, the Law School had contributed fifty percent of the state's new lawyers.⁷⁹

By 1988, the national downturn in applications had reversed itself, and the Law School was receiving seven applications for each available seat. No other law school experienced such a large percentage increase in applications that year. Dean Stein adeptly took advantage of this increasing demand. In a

78. See Letter from Robert A. Stein, Dean, Univ. of Minn. Law School, to the Alumni (Dec. 19, 1986) (on file with the *Minnesota Law Review*).

79. See Letter from Robert A. Stein, Dean, Univ. of Minn. Law School, to the Alumni (Dec. 16, 1985) (on file with the *Minnesota Law Review*).

reciprocal agreement with University of Minnesota President, Nils Hasselmo, and the University's central administration, the Law School agreed to increase the class size from 250 to 270 in order to fill the school to maximum capacity. In return, the school's budget was increased by \$200,000.⁸⁰

Even during the national downward trend in applications, from 1984 to 1988, the standards for admission remained impressive, with a median GPA of about 3.5 and an approximate median LSAT score in the 90th percentile.⁸¹ Attrition was minimal as well. Moreover, when a seat did become available, it was immediately filled with a transfer student.

In 1992, Dean Stein advanced a plan to increase class size by twenty percent or fifty-four students each year for three consecutive years. In doing this, he hoped to both increase revenue to fund appointments for additional highly qualified professors he had been recruiting⁸² and to improve the Law School's national standing, as many other top law schools had much larger enrollments.⁸³

The expansion plan proved to be unpopular with students who felt that the job market for young attorneys was already saturated.⁸⁴ In a survey conducted by the Expansion Committee, sixty-five percent of the students polled opposed the expansion, and sixty percent believed that the quality of legal education would suffer if the plan was approved.⁸⁵ Attorneys and judges, many of them alumni of the Law School, also believed that due to the ongoing recession and cut backs in hiring, it was not the right time to be adding new lawyers to the Minnesota bar.⁸⁶ Ultimately, after carefully reviewing the situation and the various

80. See Letter from Robert A. Stein, Dean, Univ. of Minn. Law School, to the Alumni (Jul. 15, 1989) (on file with the *Minnesota Law Review*).

81. See Letter from Robert A. Stein, Dean, Univ. of Minn. Law School, to the Alumni (Jul. 21, 1988) (on file with the *Minnesota Law Review*).

82. See Katherine Eckel, *Law School Dean Pledges Support for Minority Faculty*, MINN. DAILY, June 19, 1989, at 10. (Dean Stein said, "If we can identify and recruit a minority faculty member, I will find the funds. Whatever it takes, we'll do it to bring to the faculty a candidate that will be appointed—we'll do it.")

83. See Garrett Weber, *Law School Expansion Plan Axed*, MINN. DAILY, April 15, 1992, at 4.

84. See *Law School Dean Stein: Expansion Is Unlikely*, MINN. DAILY, Apr. 6, 1992, at 12.

85. See *id.*

86. See *id.*

concerns, Stein concluded that the expansion plan should not proceed forward at that time.

While Dean Stein was disappointed by the postponement of his proposal, he readily initiated an alternative plan whereby the Law School would add four new faculty members without increasing student enrollment in the J.D. program. This was achieved through a \$500 per year tuition increase.⁸⁷ Moreover, enrollment would be increased, but the expansion would be limited to the LL.M. program.⁸⁸ Dean Stein endorsed the alternative plan as especially appealing because LL.M. students already had their J.D. degrees, so the expansion would not increase the number of lawyers in the work-force.⁸⁹

IMPROVEMENT OF THE LIBRARY'S NATIONAL PROMINENCE

During the 1960s and 1970s, the library declined in national rankings. Dean Stein made its improvement a top priority. So successful were the efforts of library directors M. Kathleen Price and Joan Howland and Dean Stein that the University of Minnesota Law Library eventually came to be ranked as the sixth largest law library in the country in size and the fourth largest in the number of titles.⁹⁰ In particular, Dean Stein used his unparalleled political skills and savvy to encourage the state legislature to appropriate special funds to boost the acquisition budget⁹¹ and to provide funds for the use of computers in legal education. Although no special funding was procured, the acquisition budget increased.

Getting private funding and the University's administration to work together in enhancing the prestige of the library was another of Stein's goals. He pitched a theme of partnership to the administration, emphasizing that private funding would not be given to supplement the school if the administration would not do its share.

While the University of Minnesota Law School continued to invest in bound paper texts and law books, the future of legal research unfolded during Stein's tenure. During the short fifteen

87. See Weber, *supra* note 83, at 4.

88. See Gregor W. Pinney, *Law School Expansion Plan Likely To Be Dropped*, STAR TRIB. (Minneapolis), Apr. 7, 1992, at D8.

89. *Id.*

90. See Letter from Robert A. Stein, Dean, Univ. of Minn. Law School, to the Alumni (Dec. 4, 1994) (on file with the *Minnesota Law Review*).

91. See Letter from Robert A. Stein, Dean, Univ. of Minn. Law School, to the Alumni (Sep. 1, 1983) (on file with the *Minnesota Law Review*).

years of his administration, computers and electronic data storage revolutionized the whole concept of a law library. Many of the expensive books and texts found in law libraries became available on CD-ROM and on-line research services.

Cognizant of the need for technological advancement, Dean Stein facilitated financial support for various computer initiatives from IBM (which published a brochure in the early 1980s describing the Law School as one of the most technologically advanced educational institutions in the United States), the Ford Foundation, and West Publishing Company. As early as 1983, the Law School committed itself to developing computer based instruction programs in conjunction with Harvard Law School. This innovative, nationally acclaimed program, headed by Professor Russell Burris of the Center for Computer Assisted Instruction of Law (CALI), had its physical headquarters at the Law School. The Law School also made computers available to students through two computer labs within the law library, enabling students to take advantage of the new technology in legal research and writing. Near the end of Stein's administration, the University of Minnesota began collaboration with West Publishing Company on a project to develop innovative ways to revolutionize legal publishing, refine electronic legal practice and instruction, and electronically integrate legal research and writing. In his final *Perspective* for the *Law Alumni News* in 1994, Dean Stein described the technology initiative with West Publishing Company:

[O]ver the past 6 months an increasingly close working relationship has evolved between the Law School and West Publishing to explore new approaches to legal education, legal publishing, and the practice of law in the electronic age. Under the leadership of our Professor Joan Howland and Mr. Craig Runde of West Publishing, faculty and staff from the Law School are now working with representatives from West Publishing on a variety of projects. [One such project is] a model legal information center using the most advanced technology. A major component of this project is developing a legal research collection, which effectively balances traditional hardcopy and electronic sources.⁹²

DEVELOPMENT OF INTERNATIONAL PROGRAMS

Prior to 1979, the Law School enjoyed little international dimension. Recognizing that globalization would affect legal education and wanting to provide students with a deeper insight into the American legal system by allowing them to contrast it

92. See Robert A. Stein, *The Dean's Perspective*, U. MINN. ALUMNI NEWS, Fall 1994, at 1.

with other cultures and legal systems, Dean Stein embarked on an ambitious international expansion plan. During the Stein years, the University of Minnesota Law School developed faculty and student exchange programs with foreign universities in several countries, including Sweden, France, People's Republic of China, West Germany, Poland, and Mexico.⁹³ These programs served to fulfill Dean Stein's vision that every "student should have an opportunity for a comparative or international law experience."⁹⁴

The first momentous step on this path came in 1980 when the University of Minnesota Law School began a relationship with Sweden's Uppsala University. After an earlier fact-finding visit to the Law School by Mr. Jan-Erik Wikstrom, the Swedish Minister of Education,⁹⁵ in 1981, Dr. Anders Agell, the Dean of the Law Faculty at Uppsala University, arrived at the University of Minnesota to initiate the formalization of an exchange program which included the exchange of faculty, students, practicing attorneys, and library materials.⁹⁶ Initially, distinguished legal scholars like Vice Rector Stig Strömholm, Dean Anders Agell and Professor Anders Fogelklou from Uppsala University taught classes at the University of Minnesota Law School, while Professor and former Dean Carl Auerbach traveled to Uppsala in 1983 and taught American Common Law to Swedish students. In the summer of 1983, the relationship was expanded into a student exchange program. During the next ten years, the exchange programs between Uppsala University and the University of Minnesota Law School continued to enrich the international dimension of the law school experience for students, faculty, and practicing lawyers in both countries. Many distinguished professors traveled from Uppsala to teach at the Law School during this period, including Professors Inger Österdahl, Torben Spaak, Lena Marcusson, Rolf O. Nygren, Hannu Klami, Göran Lysen, Kent Kahlstrom, Ulf Goranson, and Nils Mattsson. Many excellent professors from the University of Minnesota taught at Uppsala University as well. Those faculty

93. See *A Tribute to Dean Robert A. Stein: Achievement of Excellence*, U. MINN. L. ALUMNI NEWS, Fall 1994, at 6, 9.

94. Interview with Robert A. Stein, Executive Director of the American Bar Association, in Minneapolis, Minn. (Sept. 12, 1996).

95. See Letter from Robert A. Stein, Dean, Univ. of Minn. Law School, to the Alumni (Dec. 26, 1980) (on file with the *Minnesota Law Review*).

96. See Letter from Robert A. Stein, Dean, Univ. of Minn. Law School, to the Alumni (July 1, 1981) (on file with the *Minnesota Law Review*).

participating in the exchange included Professors Ferdinand P. Schoettle, Barry C. Feld, Carol T. Rieger, M. Kathleen Price, Daniel J. Gifford, Daniel A. Farber, Ann M. Burkhardt, Kathryn Sedo, Donald P. Lay, Stephen F. Befort, and John J. Cound. Stein's important role in establishing the Uppsala program was recognized by many, including the University of Uppsala, which conferred upon him the honorary degree of Doctor of Law.⁹⁷

In 1981, the Law School began another program which led to an annual summer exchange program for law students at the Université Jean Moulin in Lyon, France.⁹⁸ Initially, the program was limited to a faculty exchange, and University of Minnesota Professor Stephen B. Scallen was sent to France, while Professor Gilles Guyot of the Lyon faculty came to the University of Minnesota Law School and taught a course entitled *Introduction to Common Market Business Law*.⁹⁹ Soon after Professor Guyot's stay at the Law School, Professors Joanna Schmidt, Yves Reinhard, Pierre Vialle, Denise-Clair Lambert, Olivier Moreteau and Jean-Pierre Lassale came from Lyon to teach courses of their own. Later, the program provided for six French students to come to Minnesota for a one-year program leading to an LL.M. degree.¹⁰⁰ During the years that followed, Professors Richard Frase, David Weissbrodt, Robert E. Hudec, Daniel J. Gifford, Kathryn Sedo, Maury Landsman, and Tahirih Lee visited the French University as representatives of the University of Minnesota, and the French exchange program became one of the most popular international programs available to University of Minnesota law students.

The "internationalization" at the Law School continued in 1987, with the execution of a faculty exchange agreement with Christian Albrechts University in Kiel, West Germany. Following the agreement, German Professors Rüdiger Wolfrum, Eugene Graue, and E.L.M. Völker taught classes at the University of Minnesota Law School, and Professors Leo Raskind, John J. Cound, Richard S. Frase, Ann M. Burkhardt, Daniel A. Farber,

97. See James P. White, *A Tribute to Dean Robert Stein: Former Dean of the University of Minnesota Law School*, 80 *Minnesota Law Review*. 27, 29 (1995).

98. See Letter from Robert A. Stein, Dean, Univ. of Minn. Law School, to the Alumni (Aug. 18, 1980) (on file with the *Minnesota Law Review*).

99. See Letter from Robert A. Stein, Dean, Univ. of Minn. Law School, to the Alumni (Dec. 26, 1980) (on file with the *Minnesota Law Review*).

100. See *id.*

and Fred L. Morrison, from the University of Minnesota faculty, taught classes in Kiel, Germany.

One of the most unique formal programs was initiated in 1980, when the Law School began an informal relationship with law schools in the People's Republic of China.¹⁰¹ In the early 1980s, Professor M. Kathleen Price from the Law School traveled to China and invited Professor Rui Mu, Deputy Director of the National Law Institute in the People's Republic of China, to visit the Law School. This came several years after another prominent Chinese Professor, Mr. Ma Rongjie, one of China's top criminal lawyers and a graduate of the first law class in the People's Republic of China following the revolution, initiated that relationship by visiting Minnesota and teaching a course on the Chinese Legal System. The course proved extremely popular with both law students and attorneys and was later followed by visits from Professors Lai Peng Cheng, Li Changdu, Chu Liu and Gangjian Du. In 1993, Mr. Wang Zhong Fang, the prominent President of the China Law Society, an organization whose mission was to develop the legal profession in China, gave lectures on economic and political reforms taking place in China and provided listeners with his personal observations of the Tianamen Square uprising.¹⁰² To take advantage of the opportunities developing in China, in 1992, the University of Minnesota added a scholar of Chinese law, Professor Tahirih Lee, who obtained both a Ph.D. in Chinese history and a law degree from Yale University.

In 1990, the Law School moved in another exciting direction, participating in an assistance program for emerging democracies in Central and Eastern Europe. The Law School was one of many top American law schools that provided the emerging democracies with assistance in creating a democratic rule of law after the fall of communism.¹⁰³ As part of this program, Dean Stein initiated an international program in Gdansk, Poland. Gdansk, of course, is the center of the solidarity movement where the democratic revolution in Poland began. In September of 1991, Dean Andrej Pullo of the law faculty of Gdansk University in Poland visited the University of Minnesota. An agree-

101. See Letter from Robert A. Stein, Dean, Univ. of Minn. Law School, to the Alumni (Aug. 18, 1980) (on file with the *Minnesota Law Review*).

102. See Letter from Robert A. Stein, Dean, Univ. of Minn. Law School, to the Alumni (Jul. 15, 1994) (on file with the *Minnesota Law Review*).

103. See Letter from Robert A. Stein, Dean, Univ. of Minn. Law School, to the Alumni (Dec. 23, 1991) (on file with the *Minnesota Law Review*).

ment was formalized with Gdansk University in 1992; and that same year, an exchange agreement was formalized with Escuela Libre de Derecho, Mexico City, Mexico. His only regret to this day is that he never had the opportunity to teach at any of the foreign schools with which he worked so hard at developing relationships.

CLINICAL EDUCATION, LEGAL WRITING, MOOT COURT,
AND LAW JOURNALS

Clinical education programs, moot court programs, and student-edited journals all provide an opportunity for practical application of the theories taught in law school. Because of Dean Stein's success in obtaining increased financial support, the clinical education programs at the University of Minnesota Law School flourished under his tutelage. By 1994, there were fifteen different clinics,¹⁰⁴ five times the size of the clinical program in 1979, reflecting the variety of skills and interests of the widely respected and diversely trained clinicians. While clinical education was available nationwide to less than thirty percent of all law students, by 1994, more than twice that percentage of University of Minnesota law students were able to participate in at least one of the clinics. Indeed, during the 1993/94 academic year, a record 334 students enrolled in clinical courses.¹⁰⁵

Today's clinical legal education programs provide a remarkable amount of courtroom experience, helping students determine the direction they want their legal careers to take. Remarks by a recent law student, Steven Christy, capture the feeling of many students. "It gives the student a taste of real court. It made me realize that I wanted a legal career as a trial lawyer."¹⁰⁶

104. In 1994, the fifteen clinics were Bankruptcy Clinic, Child Advocacy Clinic, Civil Litigation Clinic, Criminal Appeals Clinic, Domestic Abuse Clinic, Family Law Clinic, Federal Prosecution Clinic, Federal Taxation Clinic, Human Rights and Refugee Law Clinic, Law and Violence Against Women Clinic, Legal Assistance to MN Prisoners Clinic, Misdemeanor Defense Clinic, Misdemeanor Prosecution Clinic, Public Interest Law Clinic, and Workers' Compensation/Social Security Disability Clinic. See Letter from Robert A. Stein, Dean, Univ. of Minn. Law School, to the Alumni (Dec. 4, 1994) (on file with the *Minnesota Law Review*).

105. See *Law School Prospectus & Application*, U. OF MINN. L. SCH. BULL., 1995-1997, at 18.

106. Steven Christy was a student director of the criminal clinic and a third-year law student. He is now a practicing prosecuting attorney in Ramsey County.

In 1994, Dean Stein wrote about a new collaborative effort between West Publishing Company and the school's clinic:

[U]nder the direction of Professor Stephen Befort, [they will] design a model law office in the age of technology. This effort involves the introduction to the Law School Clinic of state of the art equipment for communication and document preparation and management. This innovation will provide law students with the opportunity to gain practical experience with the type of law office automation tools that they will be using as they enter the legal profession.¹⁰⁷

The moot court program at the University of Minnesota Law School was likewise unique and strong under the Stein administration. Unlike most law schools, the program was made a requirement for all second-year students who were not involved in journals or law review. Consistent with such a requisite, between 1979 and 1994, the Law School increased the number of moot court offerings from two to eight, each focusing on a specialized area of law and designed to help students become effective advocates before appellate courts.¹⁰⁸ Through the moot court program, students developed two important lawyering skills: oral advocacy and legal writing and research.

During Dean Stein's administration, the prominent and widely respected *Minnesota Law Review* also reached its seventy-ninth year of scholarly publication, and two new student journals came to life. The *Journal of Law and Inequality* was founded in 1981 under the leadership of Professor Catharine MacKinnon to examine gender issues. Several years later its focus was broadened to include an exploration of the social impact of law on disadvantaged people. The *Minnesota Journal of Global Trade* was established in 1991 under the determined leadership and inspiration of Professor Robert E. Hudec and a law student, Dan Kennedy, who worked with Dean Stein to overcome the funding problems inherent in creating a new journal. It focuses on international economic law and policy.¹⁰⁹ Annually, these three student-edited journals provide an opportunity for 130 students to research, write, and edit scholarly

107. See Robert A. Stein, *The Dean's Perspective*, U. MINN. L. ALUMNI NEWS, Fall 1994, at 1.

108. The following moot courts were available to students in 1994: A.B.A. Moot Court, Civil Rights Moot Court, Environmental Law Moot Court, Intellectual Property Moot Court, International Law Moot Court, Maynard Pirsig Moot Court, National Moot Court, and Wagner Labor Law Moot Court. See Letter from Robert A. Stein, Dean, Univ. of Minn. Law School, to the Alumni (Dec. 4, 1994) (on file with the *Minnesota Law Review*).

109. See *Law School Prospectus & Application*, U. OF MINN. L. SCH. BULL., 1995-1997, at 14.

work.¹¹⁰ Funds acquired by Dean Stein provided important financial support for these student-edited journals. In addition to the student-edited journals, the Law School helped publish two outstanding faculty-edited journals: *Constitutional Commentary*, a compilation of essays on constitutional law developments co-founded and/or now co-edited by renowned Professors David Bryden, Daniel Farber, Philip Frickey, Michael Stokes Paulsen, and Suzanna Sherry,¹¹¹ and *Crime and Justice*, edited by the leading figure in his field, Professor Michael H. Tonry.¹¹²

ACCOMPLISHMENTS OUTSIDE OF THE LAW SCHOOL

In addition to his role at the Law School, Dean Stein distinguished himself as an excellent administrator of outside activities as well. While his many leadership positions are too numerous to list, he made notable administrative contributions to the Higher Education Assistance Foundation, the Great Northern Iron Ore Properties, the Western Collegiate Hockey Association, and the Council of the American Law Institute, among others.

In 1994, for example, Dean Stein was appointed Chairman of the Board of Directors of the Higher Education Assistance Foundation (HEAF), a St. Paul-based loan guarantee company that was declared insolvent by the Education Department in the Fall of 1990.¹¹³ He chaired the liquidation of the corporation, which had been one of the nation's largest guarantors of federally insured student loans. The Department of Education estimated that the liquidation would cost the public treasury between \$26 and \$200 million on defaulted loans which HEAF had guaranteed during the 1980s. As Chairman of the Board, Dean Stein again proved himself to be an excellent administrator, and the liquidation committee collected some \$560 million in loans. As a consequence of his efforts, rather than costing the taxpayers money, as expected, the committee was able to deliver a \$300 million surplus to the Department of Education. Then United States Education Secretary, Richard Riley, commented on the hard work and results that Dean Stein obtained in the HEAF liquidation. "The \$300 million dollar check I am receiving today

110. See Letter from Robert A. Stein, Dean, Univ. of Minn. Law School, to the Alumni (Dec. 4, 1994) (on file with the *Minnesota Law Review*).

111. See Letter from Robert A. Stein, Dean, Univ. of Minn. Law School, to the Alumni (Dec. 15, 1992) (on file with the *Minnesota Law Review*).

112. See *id.*

113. See *U. Law School Dean Appointed to HEAF Board*, ST. PAUL DISPATCH-PIONEER PRESS, Nov. 3, 1990, at 9A.

represents an unexpected dividend from the more effective closing-down of HEAF, and reflects a lower cost to the federal Treasury.¹¹⁴ Indeed, the government was so impressed with the outcome of the matter, it sought to nominate the work of Stein and his other board members for a Malcolm Baldrige Quality Award.¹¹⁵

As a result of the HEAF success, the Clinton administration asked Stein to form another nonprofit corporation, having a board composed of the same six members from the HEAF board. The corporation's function was to administer collection problems as the Guaranteed Student Loan Program was scaled back and the Direct Student Loan program started. Stein addressed the problem by incorporating a nonprofit corporation, Educational Credit Management Corporation (ECMC). ECMC, now with over 100 employees, administers collections from students declaring bankruptcy. Although student loans are not dischargeable, prior to the ECMC there was no formal process to collect from the trustees in bankruptcy. Most recently, in 1996, at the request of the U.S. Department of Education, ECMC has taken over administration of the Guaranteed Student Loan Program in the state of Virginia.¹¹⁶

Dean Stein's expertise in property trusts and estates likewise made him an ideal person to serve on the Board of Trustees for the Great Northern Iron Ore Properties beginning in 1982.¹¹⁷ With enormous holdings in Northern Minnesota, the trust was taxed like a corporation, consequently paying tax on both earnings and distributions. However, Great Northern Trust was an unusual legal entity, created in 1906 as a trust to get around a prohibition that kept the Great Northern Railway from hauling ore from its own mines. While the shares of the trust are traded on the New York Stock Exchange, the entity is scheduled for dissolution twenty years after the death of the last of eighteen people named in the trust document. Because of Great Northern's unusual status, Dean Stein and the other Trustees, convinced

114. See Neal St. Anthony & Jean Christensen, *Rescue Team for Failed HEAF Gives \$300 Million Check to Government*, STAR TRIB. (Minneapolis), Mar. 18, 1994, at 1D.

115. Interview with Robert A. Stein, Executive Director of the American Bar Association, in Minneapolis, Minn. (Sept. 12, 1996).

116. See *id.*

117. The three other trustees were Roger Staehle, former Dean of the Institute of Technology at the University of Minnesota, Joseph Micallef, head of Fiduciary Counseling, Inc., and Harry Holtz, who headed First Trust Company in St. Paul and had acted as Great Northern's President.

Congress to add section 646 to the 1986 Tax Reform Act. This change provided a way for Great Northern to be treated as a "grantor trust" rather than a corporation, and, consequently, relieved the trust of all federal or state corporate taxes commencing in 1989 so long as the earnings were distributed and taxed to the beneficiaries. Due to this decrease in taxes, the trust enjoyed increased profits, and the shareholders received a \$7.50 dividend per share, up 142% from the year before. The price of trust shares soared 125%, the twenty-seventh highest percentage rise for any Big Board company in 1989, and enough for a windfall gain of \$61 million in market value.¹¹⁸

Dean Stein's prior experience as an administrator of University of Minnesota athletic programs in the late 1970s provided him with a special understanding of the management of intercollegiate sports. As such, he served on two head football coach search committees for the University of Minnesota. Twice serving as Chairman of the Western Collegiate Hockey Association, he influenced the management and growth of that association and as a chair on the structure committee expanded the league from six to eleven teams. Indeed, his leadership and dedication to the WCHA made him a national leader among faculty representatives, not only in ice hockey, but in all collegiate sports. As the University's own athletic director stated, "[Stein's] impact, influence, and hard work will continue to be felt well into the future of men's intercollegiate athletics at the University of Minnesota and across the nation."¹¹⁹ In recognition of a wealth of contribution to the sport, Stein was inducted into the WCHA Hall of Fame, joining the likes of Minnesota hockey heroes Johnny Mariucci and Herb Brooks.

Dean Stein served as the Faculty Athletic Representative for Men's Intercollegiate Athletics for the University of Minnesota from 1981-1994. Unfortunately, the men's athletic department was marred with controversy, and Dean Stein spent a considerable amount of effort mediating controversies between the athletic department and various national associations. Due to the controversy of the late 1980s, attributed primarily to one administrator's illegal payments to student athletes, the President of the University required that the athletic department report directly to Stein. The unusual arrangement made sense be-

118. See St. Anthony & Christenson, *supra* note 114, at 1D.

119. McKinley Boston, Jr., *A Tribute to Dean Robert Stein: Former Dean of the University of Minnesota Law School*, 80 MINN. L. REV. 7 (1995).

cause of Stein's special understanding of the athletic department and his former experience as the Vice President of the University.

In 1987, Dean Stein was honored to be elected as a member of the Council of the American Law Institute. Patricia M. Wald, Judge of United States Court of Appeals for the District of Columbia and fellow council member, described Dean Stein's loyal contributions to the Institute: "He comes faithfully to the drafting sessions, to the Council meetings, to the annual Institute gatherings. He reads the material, comments wisely, and acts consultatively in those areas in which he is particularly knowledgeable."¹²⁰ According to Judge Wald, a Council member usually must attend four three-day meetings a year and critique word-for-word drafts of Restatements of the Law and more visionary concepts of what the law ought to be. It was difficult work and required several hundred hours a year for each member. Illustrating another example of Stein's commitment to community involvement, Judge Wald further added that Dean Stein's

eye is always on how we go forward from where we have been, on where the law seems to be trending and whether that is good or needs some counterincentive. In his own field of trusts and estate planning, he is a treasury of practical as well as historical knowledge; to the others he brings a keen intellect, a sense of the importance of continuity, and a vision of what the law can and should try to accomplish.¹²¹

As a testament to Dean Stein's excellent reputation and remarkable service and dedication to the University of Minnesota Law School and his community, he was considered for the presidency of three universities. In 1987, he was one of four finalists nominated for the University of Iowa Presidency. He withdrew his name from consideration, however, because he wanted to continue his work at the Law School and complete the endowment fund initiative that he had begun. The following year, he was one of seventeen finalists for the Presidency of Arizona State University in Tempe.¹²² Also, in 1988 Dean Stein competed for the Presidency at the University of Minnesota. While Dean Stein was seen as a person who was approachable and able to understand the nuances of Minnesota politics and institutions, he lost a 7 to 5 Board of Regents vote to Nils Hasselmo.

120. Patricia M. Wald, *A Tribute to Dean Robert Stein: Former Dean of the University of Minnesota Law School*, 80 MINN. L. REV. 25 (1995).

121. *Id.*

122. *See Stein Is Arizona State Finalist*, ST. PAUL DISPATCH PIONEER PRESS, July 1, 1989, at 11A.

CELEBRATIONS FOR THE LAW SCHOOL AND THE DEAN

Perhaps nothing is more symbolic of the development of the Law School under Dean Stein than the Law School's Centennial Celebration in 1988. Over 1,500 alumni attended a series of events which took place in conjunction with the October Homecoming festivities.¹²³ The main event was a gala black tie dinner which took place on Friday evening, October 7, 1988. The program for the dinner included a keynote address by Columbia University President Michael Sovern, who had been on the Law School faculty from 1955 to 1957.¹²⁴ He was introduced by one of his past students, former Vice President Walter Mondale, Class of 1956.¹²⁵ Several alumni talked of their experiences at the Law School including Michigan Governor James Blanchard, Class of 1968; Minneapolis Mayor Donald Fraser, Class of 1948; and Senior U.S. Appeals Court Judge of the D.C. Circuit, George MacKinnon, Class of 1929.¹²⁶ One of the highlights of the evening included remarks by Minnesota Special Assistant Attorney General Alan Page, Class of 1978. Page, a football Hall of Famer and star defensive tackle with the Minnesota Vikings, noted that he considered his time at the Law School a "great one."¹²⁷ Also on the agenda were International Diary Queen Chairman John Mooty, Class of 1944; retired Northwestern National Life Insurance Chairman John S. Pillsbury, Jr., Class of 1940; United States Representative Gerry Sikorski, Class of 1973; former Governor Harold Stassen, Class of 1929; Law Alumni Association President Eileen Trost, Class of 1976; and President-elect of the Alumni Association, Woodson Walker, Class of 1974.¹²⁸

The Centennial Celebration served as a powerful reflection upon the great strengths of the Law School, bringing together friends, alumni, and supporters of the school. At the Centennial dinner, former Minnesota Governor Harold Stassen drew applause when he said that, "[We should] not underestimate the importance of, and responsibility of the lawyers in this room upon the people of this Earth. . . . I leave the campus tonight

123. See Letter from Robert A. Stein, Dean, Univ. of Minn. Law School, to the Alumni (Jul. 15, 1989) (on file with the *Minnesota Law Review*).

124. See Lucy Dalglish, *U. Law School Dinner Heady with Names*, ST. PAUL DISPATCH PIONEER PRESS, Oct. 6, 1988, at 4B.

125. See *id.*

126. See *id.*

127. See Bill Connell, *U. Law School's Centennial Attracts Famous Alumni*, MINN. DAILY, Oct. 10, 1988, at 9.

128. *Id.*

with the same optimism . . . as when I left [as a graduate in 1929]."¹²⁹ As a tribute to the Centennial Celebration, Dean Stein received the Law Library's 500,000th book.¹³⁰ In his letter to alumni, Stein wrote that, "We are pleased that we were able to celebrate the Centennial in a way that brought attention to the remarkable contributions made by our graduates in all walks of life."¹³¹

Dean Stein's work in strengthening the faculty retention rate and adding endowed chairs was exemplified at the celebration when Professor Barry Feld was named the Centennial Professor of Law. The endowment for the Centennial Professorship was created to commemorate the 100 years of excellence in education at the University of Minnesota Law School to which several distinguished alumni contributed.¹³²

CONCLUSION

Dean Stein began his administration as a young, energetic man and departed with an air of nobility and distinction. In 1994, as a testimonial to his leadership, a \$1 million dollar scholarship was created in his honor.¹³³ His presence and contributions to the Law School were immeasurable and profound. Impressively, he cultivated funds into an extraordinary financial reserve that enabled him to accomplish the other important goals he set forth when he began his deanship. He made remarkable progress in hiring excellent minority professors, and his record for retention of the faculty stands out as one of his greatest attainments. Dean Stein understood the criteria for excellence in legal education, and he worked very hard to accomplish his goals. He created strong international exchange programs. During his administration, the law students who came to the University of Minnesota Law School brought extraordinary qualifications to undertake the study of law in the history of Minnesota. Furthermore, the law library and facilities that Dean Stein helped assemble and preserve were rich in resources, optimism, and expectations of excellence. Dean Stein's service at the University and beyond earned him a reputation as a success-

129. See *id.*

130. See Dalglish, *supra* note 124, at 4B

131. See Letter from Robert A. Stein, Dean, Univ. of Minn. Law School, to the Alumni (Jun. 15, 1989) (on file with the *Minnesota Law Review*).

132. See Letter from Robert A. Stein, Dean, Univ. of Minn. Law School, to the Alumni (Dec. 20, 1990) (on file with the *Minnesota Law Review*).

133. See Morrison, *supra*, note 5, at 5.

ful and accomplished administrator. When the final history of the Law School is written, there can be little doubt that Dean Stein will be reckoned among the greatest deans in the history, not only of the Law School, but of legal education.

At the age of 55, Dean Stein was named Executive Director of the American Bar Association. As Executive Director, Stein oversees operations at the American Bar Association headquarters in Chicago and Washington, D.C. He manages a staff of more than 700 and an annual budget of more than \$100 million dollars. Dean Stein is proud of the fact that all three of his children are lawyers: Linda S. Stein is a partner in the Steptoe & Johnson law firm in Washington, D.C.; Laura A. Stein is Senior Corporate Counsel for Clorox Corporation in Oakland, California; and Karin Stein O'Boyle is editor for the West Group in Eagan, Minnesota.

As Dean Stein departed for his new position, Professor Fred L. Morrison, an esteemed member of the Law School's faculty since 1969 and a recognized scholar of international and comparative public law, took over as Acting Dean of the Law School. He had held many key positions throughout the international law arena, had been a visiting professor at the University of Bonn and at the University of Kiel in Germany, and additionally, had acted as counsel for the United States before the International Court of Justice. These experiences, coupled with his vast experience in teaching Constitutional Law, International Law, Local Government, and Comparative Public Law, made Acting Dean Morrison an excellent choice to guide the Law School. In his new position, Acting Dean Morrison continued the Law School's high visibility in the legal field with numerous important lectures and presentations at the Law School. These included a commencement program address by Ambassador James Blanchard, from the class of 1968.

Under Acting Dean Morrison's tutelage, the Law School continued its progression into the computer age through its close relationship with West Publishing Company. Over the years, the partnership between the Law School and West had created a continuous flow of innovative new ideas and practices for legal education and the practice of law. One of this partnership's most visible projects was the "development of computerized software to help in the preparation, management and presentation of issues" arising in the Law School's clinics.¹³⁴ This material has the

134. See Letter from Fred L. Morrison, Acting Dean, Univ. of Minn. Law

future potential for use in law firms as a vehicle to increase efficiency. Several faculty members also began a system whereby students presented questions to them through electronic mail. This program allowed professors to forward these questions to designated practitioners for their views and to "broadcast" the responses to all members of the class.¹³⁵

One of the most important activities at the Law School during Acting Dean Morrison's tenure was the difficult task of selecting a new dean. After an extensive selection process, the University of Minnesota Law School selected E. Thomas Sullivan to become its eighth dean. Dean Sullivan assumed his new office on July 1, 1995, as a continuation of an already illustrious career. In 1973, Dean Sullivan graduated magna cum laude from law school at Indiana University, where he served as Articles Editor of the *Indiana Law Review*. Following law school, he served as a law clerk to a federal district judge in Florida and was a trial attorney in the Criminal Division of the United States Department of Justice in Washington, D.C., where he specialized in corporate and securities fraud prosecution. He was also a senior associate at Donovan, Leisure, Newton & Irvine's Washington, D.C. office, where he specialized in antitrust and trade regulation matters.

The University of Missouri, Columbia, was the first law school to capitalize on Dean Sullivan's skills as a legal instructor. He began teaching at the university, and during his time at Missouri also served as a visiting faculty member at Georgetown University Law Center and as a Visiting Scholar at Cambridge University in England. Dean Sullivan moved to Washington University in St. Louis, where he served as Professor of Law from 1984 to 1989. At Washington University, he coached the Mock Trial Team, winning five midwest regional competitions and one national trial championship. Dean Sullivan also excelled in his career's first law school administrative position at the school, serving as Associate Dean for Academic Affairs.

Dean Sullivan's demonstrated excellence at Washington University, coupled with his enormous contributions to the legal profession, led to his selection in 1989 as Dean of the University of Arizona College of Law. While dean, he led that school through a defining period, facilitating the faculty's publication of ninety-eight books and supplements and 200 articles, while

School, to the Alumni (Jun. 30, 1995) (on file with the *Minnesota Law Review*).

135. See *id.*

helping the law school to emerge "as one of the best public university law schools."¹³⁶

In his seventeen years of teaching, Dean Sullivan has authored or contributed to six books and over a dozen articles and essays on antitrust law. He has taught courses in Antitrust, Civil Procedure, Regulation of Business, and Trial Practice. Additionally, his involvement throughout the legal community has included service as a consultant to the American Law Institute's Project on Complex Litigation, to the United States Senate Judiciary Committee, and as a project director and editor for the American Bar Association's Antitrust Monograph Project on Nonprice Predation. Additionally, he has a long history of valuable contributions as a Fellow of the American Bar Foundation and as an Adjunct Research Fellow at the Center for the Study of American Business at Washington University.

When the University of Minnesota Law School selected Dean Sullivan, it brought to the Law School a leader with the abilities and vision to continue the school's legacy of success. His stated belief that the debate between teaching versus scholarship is a false dichotomy should ensure that, during his tenure, all aspects of the Law School will be a top priority.¹³⁷ In his words, "There is only good teaching in the form of instruction in the classroom and advancing new knowledge and theories through scholarship."¹³⁸ This approach to legal education will doubtlessly prove to be a tremendous asset to the University of Minnesota Law School in its continued "Pursuit of Excellence."

136. E. Thomas Sullivan, *Transitions, Letter From the Dean*, U. ARIZ. L. REC., Spring 1995, at 1.

137. See *id.*

138. *Id.*

